

# STATE • INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
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**FILED**

**PETITION OF INDIANA BELL TELEPHONE  
COMPANY, INCORPORATED D/B/A SBC  
INDIANA FOR ARBITRATION OF  
INTERCONNECTION RATES, TERMS AND  
CONDITIONS AND RELATED ARRANGEMENTS  
WITH MCIMETRO ACCESS TRANSMISSION  
SERVICES LLC, INTERMEDIA  
COMMUNICATIONS LLC, AND MCI  
WORLDCOM COMMUNICATIONS, INC.  
PURSUANT TO SECTION 252(b) OF THE  
TELECOMMUNICATIONS ACT OF 1996**

) **OCT 20 2005**  
)  
) **INDIANA UTILITY**  
) **REGULATORY COMMISSION**  
)  
) **CAUSE NO.**  
) **42893-INT 01**  
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You are hereby notified that on this date the Presiding Officers in this Cause make the following Entry:

A schedule for filing proposed Orders and exceptions to proposed Orders was established in the August 18, 2005 Entry in this Cause. While it is generally rare for the Commission to suggest a structure for proposed Orders, it has been the practice of the Commission to do so in 252 Arbitrations due to the short time frame required for the issuance of a final Order. (See Cause No. 40571-INT 04 and Cause No. 42663-INT 01). The need for the Commission to issue an Order in this Cause by January 11, 2006, makes the following directives appropriate:

Following the standard, introductory components of a Commission Order, such as jurisdiction and background information, each party should present a summarization of only its own witnesses' testimony and exhibits as to a particular issue or related group of issues, followed by its proposed Commission Discussion and Findings with respect to that issue or group of issues. The parties, therefore, should work together to agree on identifying the issues to be included in the proposed Orders, the appropriate order in which those issues are presented, any appropriate grouping of issues, and a consistent numbering scheme. The result of the parties' collaboration should be an agreed-upon outline for proposed Orders. The numbering and topical organization of the agreed-upon outline should directly correspond to the numbering and topical organization of the proposed Orders.

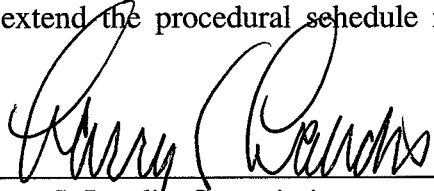
A style of proposed Order that we will not consider useful is one in which the evidence is summarized in a manner or voice that reads as if the Commission is promoting or is in agreement with a particular position. A summary of the testimony of each witness will necessarily include the advocacy of a particular position, but that advocacy should be


clearly attributable to the testimony of the witness and not to any express statements or implied opinions of the Commission. The place in the Commission's Order, and in the parties' proposed Orders, for the Commission to evaluate and comment on the evidence is in the Discussion and Findings section for each issue or group of issues. The requirement that each party refrain from proposing a summarization of the other party's evidence should help in this regard.

Proposed orders with topical and organizational consistency will allow the Presiding Officers and Commission staff, as well as the parties, to readily compare and contrast proposals regarding the same or related issues or group(s) of issues.

An agreed-upon outline for proposed Orders should be filed with the Commission and served on all parties on or before October 26, 2005. If the parties fail to file an agreed-upon outline by October 26, or if they file proposed Orders that are inconsistent with the submitted outline, the Presiding Officers will prescribe the outline for proposed Orders and/or require resubmission of proposed Orders consistent with the same. The Commission also retains the right to extend the procedural schedule if parties do not follow instructions.

**IT IS SO ORDERED.**

  
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Larry S. Landis, Commissioner

  
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William G. Divine, Administrative Law Judge

10-20-05  
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Date